

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10136-RGS
)	
MARK NUTTER)	
)	

JOINT MOTION TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME

The parties respectfully request a continuance of the Initial Status Conference, currently scheduled for July 13, 2005. As grounds for this motion, the parties state that the government has recently provided extensive discovery (over 600 pages, including 251 pages of grand jury testimony) to the defendant and more time is needed to provide defense counsel with sufficient time to review the discovery. A continuance will provide defense counsel with sufficient time to review the discovery and will give the parties an opportunity to meet and resolve any preliminary issues and discuss the course of the case after all of the discovery has been reviewed. The parties respectfully request a continuance to August 3, 4, or 5.

In addition, for the above-stated reasons, the parties respectfully request that the time commencing on July 13, 2005 and concluding on the date set for Initial Status Conference be excluded pursuant to 18 U.S.C. §3161(h)(8)(A). In addition, for the above-stated reasons, both parties move that this Court find

that the ends of justice served by granting the requested exclusions outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the requested period in computing the time within which trial must commence.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney,
By:

/s/ William H. Connolly
WILLIAM H. CONNOLLY
Respectfully submitted,

Respectfully submitted,

MARK NUTTER
By His Attorney,

/s/ Stephen Weymouth (WHC)
STEPHEN WEYMOUTH

DATE: July 12, 2005